

**REMARKS/ARGUMENTS**

Claims 1-5, 7-12, 14-17, 19, 21, and 23 are pending. Claims 1, 8, 14, and 19 have been amended. No new matter has been introduced. Applicants believe the claims comply with 35 U.S.C. § 112.

Claims 1-5, 7-12, 14-17, 19, 21, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gold et al. (US 2002/0188704) in view of Lichtman et al. (US 5,787,246). The Examiner acknowledges that Gold et al. does not disclose when license information transmitted from the program contract renewal notification destination is inputted, modifying the hardware configuration based on the information regarding the hardware configuration to be modified and modifying the program configuration of the program which operates on the modified hardware based on the information regarding the hardware configuration to be modified and the information regarding the program configuration to be modified. The Examiner cites Lichtman et al. for allegedly providing the missing teachings.

Applicants respectfully submit that independent claims 1, 8, and 14 are patentable over Gold et al. and Lichtman et al. because, for instance, they do not teach or suggest halting the configuration modification of the computer if the hardware configuration and program configuration contained in the transmitted license information do not match the modified hardware and modified program corresponding to the result as to whether the fee has been paid or not about the billing information.

The present invention has two contracts. One is a hardware contract, and the other is a software contract. This provides flexible modification of the configuration based on the two contracts, which are managed by the HW BILLING MANAGEMENT UNIT 22 and AP BILLING MANAGEMENT UNIT 32 (see Fig. 1). The combination of Gold et al. and Lichtman et al. does not teach this flexible modification by two contracts, but discloses only one license configuration.

Significantly, nothing in Lichtman et al. discloses or suggests modifying or halting modification of the hardware configuration and program configuration based on the

billing information and the license information, and, more specifically, halting the configuration modification of the computer if the hardware configuration and program configuration contained in the transmitted license information do not match the modified hardware and modified program corresponding to the result as to whether the fee has been paid or not about the billing information. See, e.g., Fig. 5 (step 323) and Fig. 6 (steps 403 and 406). As the Examiner already recognizes, Gold et al. shows only hardware modification based on the license information. Lichtman et al. fails to cure the deficiencies of Gold et al.

For at least the foregoing reasons, claims 1, 8, and 14, and claims 2-5, 7, 9-12, and 15-17 depending therefrom, are patentable.

Applicants respectfully submit that independent claim 19 is patentable over Gold et al. and Lichtman et al. because, for instance, they do not teach or suggest that a license key contains permissible hardware configuration and permissible program configuration, and that the computer is configured not to modify the hardware configuration and the program configuration if the hardware configuration and the program configuration corresponding to the result as to whether the fee has been paid or not about the billing information do not match the permissible hardware configuration and the permissible program configuration contained in the license key.

As discussed above, Lichtman et al. does not cure the deficiencies of Gold et al. because, while Lichtman et al. discloses modifying the program configuration, it fails to teach or suggest modifying or halting modification of the hardware configuration and program configuration based on the billing information and the license key.

For at least the foregoing reasons, claim 19, and claims 21 and 23 depending therefrom, are patentable.

Appl. No.: 10/648,824  
Amdt. dated: May 2, 2006  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 3621

PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Chun-Pok Leung  
Reg. No. 41,405

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
RL:rl  
60762677 v1